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13 UNITED STATES DISTRICT COURT

14 DISTRICT OF ARIZONA

15 In Re Bard IVC Filters Products Liability  
16 Litigation

17 No. MD-15-02641-PHX-DGC

18 **PLAINTIFFS MOTION FOR LEAVE  
19 TO FILE UNDER SEAL**

20 Plaintiffs respectfully move this Court for an Order pursuant to the Stipulated  
21 Protective Order (MDL No. 2641, Doc. 268), Federal Rule of Civil Procedure  
22 26(c)(1)(G), and Local Civil Rule 5.6, sealing Exhibit 3 to Plaintiffs' Opposition to  
23 Defendants' Motion to Disqualify Robert Vogelzang, M.D. and Kush Desai, M.D. as  
24 Testifying Experts; and Scott Resnick, M.D. and Robert Lewandowski, M.D. as  
25 Consulting Experts for Plaintiffs. The exhibit is the Declaration Dr. Resnick, which  
26 addresses among other things his work pursuant to Consulting Agreements with Bard,  
27 which Bard has designated as confidential documents.

28 By filing under seal, Plaintiffs are not agreeing and expressly reserve their right to  
29 contest that the information is confidential. Plaintiffs reached out to Defendants  
30 requesting that they consent to this motion and have not heard back regarding this motion.

31 Accordingly, Plaintiffs request that the Court grant Plaintiffs' leave to file Exhibit  
32 3 under seal.

1 RESPECTFULLY SUBMITTED this 28<sup>th</sup> day of July 2017.  
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4 GALLAGHER & KENNEDY, P.A.  
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7 By: /s/Mark S. O'Connor  
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14 **CERTIFICATE OF SERVICE**  
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16 I hereby certify that on this 28<sup>th</sup> day of July 2017, I electronically transmitted the  
17 attached document to the Clerk's Office using the CM/ECF System for filing and  
18 transmittal of a Notice of Electronic Filing.  
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20 /s/ Gay Mennuti  
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